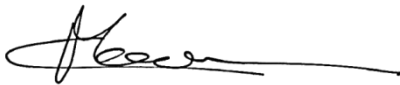


## Development Consent

Section 4.16 of the *Environmental Planning and Assessment Act 1979*

I, the Chief Executive Officer, of Sydney Olympic Park Authority, pursuant to section 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development referred to in **SCHEDULE 1**, subject to the conditions in **SCHEDULE 2**.

These conditions are required to prevent, minimise, and/or offset adverse environmental impacts.



Charles Moore  
Chief Executive Officer  
Sydney Olympic Park Authority

Date: 27 May 2019

### SCHEDULE 1

<b>Development Application:</b>	DA 04-04-2019
<b>Application made by:</b>	Mirvac Projects Pty Ltd
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	2 Figtree Drive, Sydney Olympic Park.
<b>For the following:</b>	Stratum subdivision to create eight lots comprising four residential building lots; one commercial unit lot; one new road lot; one park lot (Linear Park); and one reserve lot (Fig Reserve) with associated easements for access, services, and maintenance.
<b>Determination:</b>	Consent granted subject to the conditions in the attached <b>SCHEDULE 2</b>
<b>Date of commencement of consent</b>	This development consent commences on the date identified / signed above. The determination shall lapse <b>5 years</b> from this date.
<b>Advisory Notes</b>	<p>The Applicant (or any persons acting on this consent) is solely responsible that all additional consents and agreements are obtained from other authorities as relevant</p> <p>The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the <i>Environmental Planning and Assessment Act 1979</i>, and the <i>Environmental Planning and Assessment Regulations 2000</i> (as amended)</p>

## SCHEDULE 2

### CONDITIONS OF CONSENT DEVELOPMENT APPLICATION NO. 04-04-2019

#### 1 Development Description

Development Consent is granted only to carrying out of the development as described, and on the land referred to, in **SCHEDULE 1** above.

These conditions of this consent do not relieve the proponent of its obligations under the *Environmental Planning and Assessment Act 1979*, and any other Act.

#### 2 Development in accordance with Plans

The development shall be generally in accordance with the Development Application, and in accordance with the supporting documentation submitted with that application, including but not limited to, the following:

Deposited Plans Administration Sheet (1-3 of 3) & Plans (Sheets 1-19 of 19) prepared by surveyor Tasy Moraitis			
Surveyors Ref.	Sheet no.	Name of Plan	Date
140632 SUB	1 to 3	ADMINISTRATION SHEET PLAN OF SUBDIVISION OF LOT 25 IN DP 1244955 & LOT 33 & LOT 34 IN DP 1249952	07.05.2019
140632 SUB	1 of 19	BASEMENT LEVEL 4	07.05.2019
140632 SUB	2 of 19	BASEMENT LEVEL 3	07.05.2019
140632 SUB	3 of 19	BASEMENT LEVEL 2	07.05.2019
140632 SUB	4 of 19	BASEMENT LEVEL 1	07.05.2019
140632 SUB	5 of 19	LEVEL 1	07.05.2019
140632 SUB	6 of 19	LEVEL 2	07.05.2019
140632 SUB	7 of 19	LEVEL 3	07.05.2019
140632 SUB	8 of 19	LEVEL 4 – 7	07.05.2019
140632 SUB	9 of 19	LEVEL 8	07.05.2019
140632 SUB	10 of 19	LEVEL 9	07.05.2019
140632 SUB	11 of 19	LEVEL 10	07.05.2019
140632 SUB	12 of 19	LEVEL 11	07.05.2019
140632 SUB	13 of 19	LEVEL 12	07.05.2019
140632 SUB	14 of 19	LEVEL 13 -16	07.05.2019
140632 SUB	15 of 19	LEVEL 17 – 22	07.05.2019
140632 SUB	16 of 19	LEVEL 23	07.05.2019
140632 SUB	17 of 19	LEVEL 24 – 26	07.05.2019
140632 SUB	18 of 19	LEVEL 27 – 28	07.05.2019
140632 SUB	19 of 19	LEVEL 29 AND ABOVE	07.05.2019
Statement of Environmental Effects prepared by Urbis, dated 8 May 2019			

**Except for:**

- (1) Any modifications as may be necessary for the purpose of compliance with the BCA and any Australian Standard incorporated in the BCA;
- (2) Otherwise provided by the Conditions of this Consent;
- (3) Otherwise as necessary to comply with other NSW and Commonwealth legislation.

### **3 Inconsistency between documents**

In the event of any inconsistency between this consent and the drawings/documents referred to Condition No.2, the conditions of this consent prevail.

### **4 Commencement of Subdivision**

The Subdivision must be carried out in accordance with the requirements set out in Sections 6.12, 6.13 and 6.14 of the *Environmental Planning and Assessment Act 1979*.

### **5 Subdivision Certificate**

A Subdivision Certificate must be obtained from an accredited subdivision certifier or the Sydney Olympic Park Authority, in accordance with Section 6.3 and Section 6.15 of the *Environmental Planning and Assessment Act 1979*.

**Note:** Sufficient information must be forwarded to the Certifying Authority illustrating compliance with the relevant requirements of the Conditions of *Development Consent*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant Certifying Authority to discuss requirements prior to submission of the application for Subdivision Certificate.

### **6 Section 88B Instrument (General)**

Prior to registration of the Subdivision Plan(s) with the NSW Land and Property Information Office, the person(s) acting on this consent must create all necessary documentary easements for access, services, drainage, encroaching structures, support and shelter, maintenance or any other encumbrances required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision pursuant to *Section 88B of the Conveyancing Act 1919*.

The Section 88B Instrument must include a positive covenant requiring the owners or successors in title of proposed Lots 1, 2, 3 and 5 to maintenance of all stairs, lighting and any associated infrastructure within proposed Lot 7 that benefit only the occupants of Site 53.

**Note:** All instruments under Section 88B of the Conveyancing Act used to create easements or right-of-ways must include the condition that such easements or right-of-ways may not be varied, modified or released without the prior approval of the Authority.

### **7 Sydney Olympic Park Authority Approval**

Prior to registration of the Subdivision Plan(s) and Section 88B instrument with NSW Land Registry Services, all subdivision plans and the Section 88B instrument must be submitted to the satisfaction of SOPA's Director – Property Development.

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**END OF CONSENT**